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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/738,547 | GRIGGS ET AL. | |
| | Examiner | Art Unit | |
| | John Sipos | 3721 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 17, 2005.
2. ☒ The allowed claim(s) is/are 20,22-28,30-34,36,38-45,47-55,57-59,62,64-71,73 and 74.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
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| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>8/17/05</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the amendment of August 17, 2005 to page 1 of the specification, line 6, after "2003," --now US Patent 6,729,102,-- has been inserted.

Authorization for this examiner's amendment was given in a telephone interview with Ms. J. Richardson on October 20, 2005. Claims 22-28,30,33,36,38,39,40,42-45,47-53 and 57-59 remain unamended relative the last Amendment of August 17, 2005. Claims 22,23,47 and 48, directed to non-elected species, are also allowable since they depend on allowed generic claims. Claims 1-19,21,29,35,37,46,56,60,61 and 63 have been previously cancelled.

20. (Currently Amended) A system for enclosing at least one semi-solid or solid product in a covering material, comprising:

a plurality of interchangeable elongate product chutes, each chute having a floor and an outer wall with opposing receiving and discharge end portions and an interior cavity extending therethrough, wherein the plurality of product chutes have a different configuration than others, and wherein at least some of the cavities have a non-circular cross-sectional shape with a flared entry segment with a first cross-sectional area that tapers into an adjacent downstream portion to have a smaller second cross-sectional area thereat, and wherein the elongate product chutes comprise a handle extending above a generally medial location of an upper portion of the outer wall;

a mounting frame configured to releaseably hold one of the interchangeable chutes such that each chute has substantially the same axially extending centerline when mounted on the mounting frame, wherein the product chutes have a respective mounting bracket that releasably attaches to the mounting frame, and wherein at least one of the mounting brackets for the interchangeable product chutes has a different configuration from the others;

a clipper mechanism disposed downstream of the mounted product chute, the clipper mechanism configured to apply at least one clip to a covering material that resides over and encloses a product discharged from the product chute; and

a sleeve of netting held over the outer wall of the mounted product chute downstream of the handle.

31. (Currently Amended) A system according to Claim 20, ~~further comprising a mounting bracket attached to each product chute and releasably attachable to the mounting frame~~, wherein at least one of the mounting brackets has a mounting bracket having a lowermost generally planar substantially horizontal mounting platform and an opposing upper portion that is attached to a bottom of the respective product chute, and wherein at least a different one of the mounting brackets for the interchangeable product chutes has a different configuration.

32. (Currently Amended) A system according to Claim 20, ~~each product chute further comprising a mounting bracket~~, wherein at least one of product chute mounting brackets has a generally concave transversely extending contoured recess configured to receive a lower bottom portion of the product chute therein, and wherein at least another one of the product chute mounting brackets has an upstanding segment with a planar substantially horizontal upper portion that holds the lower portion of the product chute.

34. (Currently Amended) A system according to Claim 20, ~~each of the product chutes further comprising a respective mounting bracket affixed to the product chute~~, wherein the mounting bracket comprises a sensor that cooperates with a component on a mounting frame to inhibit operation when the chute is not in proper operative position.

41. (Currently Amended) A method of packaging an object or objects in netting, comprising:

pushing at least one object through a first product chute releasably mounted to a mounting frame, the first product chute having a floor and a non-circular cross-sectional shape and an axially extending centerline, wherein the chute comprises a primary body and a flared entry portion with a first cross-sectional area that tapers into an adjacent downstream portion proximate the primary body to have a smaller second cross-sectional area thereat;

pulling netting material downstream of the product chute off of an exterior surface of the product chute to automatically enclose the object in the netting material as the object exits the product chute; then

applying at least one clip to the netting material to secure the object in the netting material using an automated or semi-automated clipper; and

replacing the first product chute and an attached mounting bracket with a second product chute having a different cross sectional shape and/or size and a differently configured second mounting bracket, the second mounting bracket being releaseably mounted to the same mounting frame as the first product chute mounting bracket such that the second product chute is placed in cooperating alignment with the clipper about an axially extending centerline that substantially coincides with that of the first product chute.

54. (Currently Amended) A method according to Claim 41, further comprising placing a sleeve of netting material over the first and second product chute before mounting the selected chute to the mounting ~~a system~~ frame and stretching the sleeve so that it is in tension in at least the axial direction and extends a distance beyond a discharge end of the respective chute prior to the pulling and/or applying step.

55. (Currently Amended) A method according to Claim 54, wherein the first product chute ~~comprises a mounting bracket~~ has with a transversely extending generally concave recess having a contour that generally matches that of a bottom portion of the product chute, ~~further comprising releaseably mounting the respective mounting bracket and product chute to a mounting frame after inserting sleeve of material thereon.~~

62. (Currently Amended) A system for enclosing at least one semi-solid or solid product in a covering material, comprising:

a plurality of interchangeable elongate product chutes, each respective chute having a different size and/or shape, an outer wall, opposing receiving and discharge end portions and an interior generally straight cavity extending therethrough, with the chute cavities having a non-circular cross-sectional shape;

a mounting bracket attached to each respective product chute, wherein each respective product chute mounting bracket is individually releasably mountable to a frame that holds the mounted product chute in alignment with a clipper mechanism during operation such that each

mounted product chute has a substantially common axially extending centerline, and wherein some of the chutes have a first mounting bracket configuration and the others have a second mounting bracket configuration that is different from the first mounting bracket configuration;
and

a clipper mechanism disposed downstream of the product chute, the clipper mechanism configured to apply at least one clip to a covering material that resides over and encloses a product discharged from the mounted product chute.

64. (Currently Amended) A system according to Claim 62, wherein the respective first mounting bracket[[s]] configuration has ~~have~~ a transversely extending contoured generally concave recess configured to releasably receive a lower portion of the respective product chute therein.

65. (Currently Amended) A system according to Claim 64, wherein the first mounting bracket[[s]] configuration has ~~have~~ a generally planar upwardly extending medial portion that merges into the contoured recess at a top portion thereof and merges into a planar substantially horizontal mounting platform at a lower portion thereof.

66. (Currently Amended) A system according to Claim ~~[[64]]~~ 62, wherein the respective mounting brackets comprise[[s]] an electronic component that cooperates with an electronic component on the mounting frame that, in position on the mounting frame, is configured to inhibit operation when the mounted chute is not in proper operative position.

67. (Currently Amended) A method of packaging products in netting using a packaging system, comprising:

releasably mounting a selected one of a plurality of interchangeable product chutes having a respective underlying mounting bracket to a common system mounting frame, [at least some of] the plurality of interchangeable product chutes having different configurations from the others; ~~and~~

aligning the selected product chute with a clipper mechanism located downstream of the mounted product chute such that, when mounted in operative position, each product chute has a substantially common axial centerline in cooperating alignment with the clipper mechanism; and

releasably mounting a second selected one of the plurality of interchangeable chutes, the second product chute mounting bracket having a different configuration from that of the mounting bracket of the first mounted product chute.

69 (Currently Amended) A packaging system, comprising:

a plurality of interchangeable elongate product chutes, each chute having a respective mounting bracket attached to a lower portion thereof, each chute having an outer wall, opposing receiving and discharge end portions, and an interior generally straight cavity extending therethrough, with at least one of the chute cavities has a non-circular cross-sectional shape, and wherein [at least some of] the chutes have a different size and/or shape from that of the others, and wherein some of the chutes have a first mounting bracket configuration and others have a second different mounting bracket configuration;

a frame configured to serially releasably mount the interchangeable product chutes, wherein each of the plurality of interchangeable chutes have substantially the same axially extending centerline when mounted to the frame; and

a clipper mechanism disposed downstream of the product chute, the clipper mechanism configured to apply at least one clip to a covering material that resides over and encloses a product discharged from the mounted product chute.

70. (Currently Amended) A packaging system according to Claim 69, wherein the first mounting bracket configuration comprises a generally planar upwardly extending medial portion that merges into the contoured recess at a top portion thereof and merges into a planar substantially horizontal mounting platform at a lower portion thereof, and wherein the second mounting bracket configuration comprises an upwardly extending leg that merges into a generally planar upper portion~~wherein each of the interchangeable product chutes has a mounting bracket attached to a lower portion thereof.~~

72. Has been Canceled.

73. (New) A packaging system according to Claim ~~[[72]]~~ 70, wherein the first configuration has an uppermost laterally extending portion with a generally concave recess that receives a lower portion of the respective chute therein, and wherein the second configuration has a generally planar uppermost portion that merges into a downwardly extending member, the downwardly extending member having a width that is less than a width of the planar portion.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Examiner John Sipos** at telephone number **571-272-4468**. The examiner can normally be reached from 6:30 AM to 4:00 PM Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at **571-272-4467**.

The **FAX** number for U.S. Patent and Trademark Office is **(571) 273-8300**.



John Sipos
Primary Examiner
Art Unit 3721